

Docket No.: 0933-0210P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Mart SAARMA et al.

Application No.: 10/648,361

Confirmation No.: 3435

Filed: August 27, 2003

Art Unit: 1633

For: NOVEL NEUROTROPHIC FACTOR  
PROTEIN AND USES THEREOF

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Examiner: M. Marvich

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
12/037,535	February 26, 2008	1656

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

☐ Copies of cited U.S. patent application(s) (specification, claims, and the drawings) or copies of the portion(s) of the application(s) which caused it(them) to be cited, including any claims directed to such portion(s) are attached hereto.

☒ Copies of the cited U.S. patent application(s) (specification, claims, and the drawings) are available on the USPTO's Image File Wrapper. Therefore copies thereof need not be attached.

☐ The materials in the envelope are considered trade secrets and are being submitted for consideration under MPEP § 724.

The above-listed co-pending applications is not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

**PTO/SB08 filed February 9, 2004**

Applicants submit herewith copies of the following documents which the Examiner has indicated were not considered from the PTO/SB08 filed February 9, 2004: Bibel et al., Genes and Development, 14:2919-2937, 2000; Peaire et al., Journal of Neuroscience Methods, 124, 61-74 (2003); and Airaksinen et al., Molecular and Cellular Neuroscience, 13, 313-325 (1999).<sup>1</sup> Applicants respectfully request that the Examiner consider these references and provide Applicants with an initialed and signed copy of the PTO/SB08. For the Examiner's convenience, Applicants provide herewith a duplicate of the previously filed PTO/SB08.

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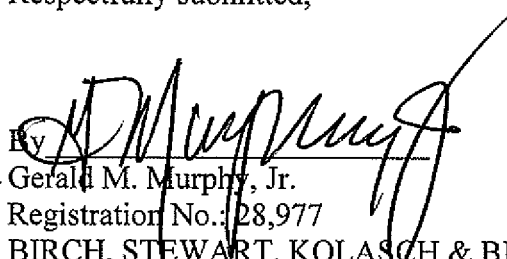
<sup>1</sup> Airaksinen et al., Nature Reviews Neuroscience, Vol. 3, 383-394, May 2002 was indicated as being considered on February 17, 2007 as the result of a duplicate listing on the PTO/SB08 which was filed on January 22, 2007.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated:

MAR 24 2008

Respectfully submitted,

  
By Gerald M. Murphy, Jr.  
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8110 Gatehouse Road  
Suite 100 East  
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(703) 205-8000  
Attorney for Applicant

**Attachments:**

**Bibel et al., Genes and Development, 14:2919-2937, 2000**  
**Peaire et al., Journal of Neuroscience Methods, 124, 61-74 (2003)**  
**Airaksinen et al., Molecular and Cellular Neuroscience, 13, 313-325 (1999)**  
**Copy of the PTO/SB08 previously filed on February 9, 2004.**

Form PTO-1449		ATTY. DOCKET NO. 0933-0210P	APPLICATION NO. 10/648,361
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)		APPLICANT Mart SAARMA et al.	
		FILING DATE August 27, 2003	GROUP Unknown

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 2002-0182198	A1	2002-12-05	Commissiong et al.			
	US						
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## FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	EP	1 033 401	A2	2000-09-06	EUROPE				
	WO	01/19851	A2	2001-03-22	WIPO				
	WO	01/55317	A2	2001-08-02	WIPO				
	WO	01/55320	A2	2001-08-02	WIPO				
	WO	01/70174	A2	2001-09-27	WIPO				
	WO	02/068638	A1	2002-09-06	WIPO				
	WO	02/070539	A2	2002-09-12	WIPO				
	WO	02/074956	A2	2002-09-26	WIPO				
	WO	02/079246	A2	2002-10-10	WIPO				
	WO	02/098902	A2	2002-12-12	WIPO				

**OTHER DOCUMENTS** (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

	Bibel et al., Genes and Development, 14:2919-2937, 2000
	Peaire et al., Journal of Neuroscience Methods, 124, 61-74 (2003)
	Airaksinen et al., Molecular and Cellular Neuroscience, 13, 313-325 (1999)
	Airaksinen et al., Nature Reviews Neuroscience, Vol. 3, 383-394, May 2002

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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								YES	NO

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	Shridhar et al., Oncogene, 12, 1931-1939 (1996)
	Shridhar et al., Oncogene, 14, 2213-2216 (1997)
	Petrova et al., Journal of Molecular Neuroscience, Vol. 20, 173-187 (2003)
	Okazaki et al., Nature, Vol. 420, 563-573, Dec. 2002 (with supplementary information)
	Genbank Accession No. AX573504: WO 02/079246 A 8 10-OCT-2002

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	Genbank Accession No. BC037872: R. Strausberg, NIH-MGC Project, National Institutes of Health, Mammalian Gene Collection (MGC), Submitted (16-SEP-2002)		
	Genbank Accession No. AI807908: NCI-CGAP, National Cancer Institute, Cancer Genome Anatomy Project, Tumor Gene Index, Unpublished (1997)		
	Genbank Accession No. BI464979: NIH-MGC, National Institutes of Health, Mammalian Gene Collection (MGC), Unpublished (1999)		
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	Genbank Accession No. F31353: G. Lanfranchi et al., Genome Res. 6 (1), 35-42 (1996)		
	Genbank Accession No. BG742772: NIH-MGC, National Institutes of Health, Mammalian Gene Collection (MGC), Unpublished (1999)		
	Genbank Accession No. AA018863: L. Hillier et al., Genome Res. 6 (9), 807-828 (1996)		
	Genbank Accession No. AV657190: X Xu et al., Proc. Natl. Acad. Sci. USA 98 (26), 15089-15094 (2001)		
	Genbank Accession No. BD030478: J. B. D. M. Edwards et al., JP 2001-269182-A 6724 02-OCT-2001		
	Genbank Accession No. AK034009: P. Carninci et al., Meth. Enzymol. 303, 19-44 (1999) P. Carninci et al., Genome Res. 10 (10), 1617-1630 (2000) K. Shibata et al., Genome Res. 10 (11), 1757-1771 (2000) J. Kawai et al., Nature 409 (6821), 685-690 (2001) The Phantom Consortium and the RIKEN Genome Exploration Research Group Phase I & II Team, Nature 420, 563-573 (2002) J. Adachi et al., The Institute for Physical and Chemical Research (RIKEN), Submitted (16-JUL-2001)		
	Genbank Accession No. BB625884: T. Arakawa et al., Laboratory for Genome Exploration Research Group, RIKEN Genomic Sciences Center, Unpublished (2001)		
	Genbank Accession No. BI964826: D. Melton et al., Endocrine Pancreas Consortium, Harvard University, Howard Hughes Medical Center, Unpublished (2000)		
	Genbank Accession No. AX573503: L. Bougueleret et al., WO 02/079246-A 7 10-OCT-2002		
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	Genbank Accession No. AC069544: D. R. Smith, Genome Therapeutics Corp. Submitted (02-JUN-2000) D. R. Smith, Genome Therapeutics Corp. Submitted (21-DEC-2001) D. R. Smith, Genome Therapeutics Corp. Submitted (25-APR-2002)		
	Genbank Accession No. AQ412924: S. Zhao et al., Department of Eukaryotic Genomics, The Institute for Genomic Research, Unpublished (1997)		
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	Genbank Accession No. AX573507: L. Bougueleret et al., WO 02/079246-A 11 10-OCT-2002		
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	Genbank Accession No. AX573506: L. Bougueleret et al., WO 02/079246-A 10 10-OCT-2002		
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	Genbank Accession No. CB785684: Amgen EST Program, Amgen, Inc., Unpublished (2003)		
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	Genbank Accession No. AQ458921: G. G. Mahairas et al., Proc. Natl. Acad. Sci. USA 96 (17) 9739-9744 (1999)		
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